

REMARKS

Claims 1-32, 34, 35, 38-52, 54, 55, 58-72, 74, 75, 78-91, 95-102, 106-118 and 121-125 are now pending in the application. While Applicants disagree with the current rejections, Applicants have amended the claims to expedite prosecution. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 101

Claims 117, 118, and 121-125 rejected under 35 U.S.C. § 101 because the claimed invention is directed to a non-statutory subject matter. This rejection is respectfully traversed.

Applicants respectfully note that per the USPTO guidelines at page 50, “functional descriptive material consists of data structures and computer programs which impart functionality when employed as a computer component ... When functional descriptive material is recorded on some computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized.” **USPTO “Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility”, October 26, 2005.** “Claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program’s functionality to be realized, and is

thus statutory.” **Page 53, USPTO “Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility”, October 26, 2005.**

Accordingly, Applicants respectfully submit that the language “a computer program **stored on a tangible computer medium**” conforms with the above guidelines and is proper. Without concession, Applicants amended the claims according to the Examiner’s suggestions merely to facilitate prosecution.

ALLOWABLE SUBJECT MATTER


Claims 1-32, 34-35, 38-52, 54-55, 58-72, 74-75, 78-91, 95-102, and 106-116 are allowed. Applicants thank the Examiner for the allowable subject matter.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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